



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lynn B. Lunsford et al.

Art Unit: 1633

Serial No. : 09/909,460

Examiner:

Filed : July 18, 2001

Title : MICROPARTICLES FOR DELIVERY OF NUCLEIC ACID

Commissioner for Patents  
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Responsive to the Notice to File Corrected Application Papers mailed August 15, 2001 (a copy of which is enclosed), applicant as a small entity submits herewith the following:

- ☒ Formal drawings (10 sheets) in compliance with 37 CFR 1.84;
- ☒ Request Under 37 C.F.R. §1.821(e) to Transfer Computer Readable Form (1 page);
- ☒ Sequence Listing (18 pages);
- ☒ Request for Corrected Official Filing Receipt (1 page with supporting documents).

It is understood that this perfects the application and no additional papers or filing fees are required.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

Date of Deposit

October 15, 2001

Signature

Darlene J. Morin

Typed or Printed Name of Person Signing Certificate

Darlene J. Morin

Please apply any other charges or credits to Deposit Account No. 06-1050, referencing  
Attorney Docket No. 08191-014002.

Respectfully submitted,

Date: October 15, 2001

Jack Brennan  
Jack Brennan  
Reg. No. 47,443

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

20329700.doc

20329700.doc



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lynn B. Lunsford et al.      Art Unit : 1633  
Serial No. : 09/909,460      Examiner :  
Filed : July 18, 2001  
Title : MICROPARTICLES FOR DELIVERY OF NUCLEIC ACID

Attention: Official Draftsman  
Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL OF FORMAL DRAWINGS

Please substitute the enclosed 10 sheets of formal drawings for the corresponding drawings presently in the application.

Please apply any charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 08191-014002.

Respectfully submitted,

Date: October 15, 2001

Jack Brennan  
Jack Brennan  
Reg. No. 47,443

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906

20329734.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

October 15, 2001  
Date of Deposit

Darlene J. Morin  
Signature

Darlene J. Morin  
Typed or Printed Name of Person Signing Certificate

10909460-101801



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Lynn B. Lunsford et al.      Art Unit : 1633  
Serial No. : 09/909,460      Examiner :  
Filed : July 18, 2001  
Title : MICROPARTICLES FOR DELIVERY OF NUCLEIC ACID

Commissioner for Patents  
Washington, D.C. 20231

REQUEST FOR CORRECTED OFFICIAL FILING RECEIPT

Please correct the Filing Receipt for the above-referenced application to change the order of the inventors to be: Lynn B. Lunsford, Reading, Pennsylvania; David Putnam, Cambridge, MA; Mary Lynne Hedley, Lexington, Massachusetts.

Please supply a corrected Filing Receipt to the undersigned with respect to this application. A copy of the original Filing Receipt showing the desired changes in red ink is attached for your convenience.

No fee is believed to be due. If, however, there are any charges or credits, please apply them to Deposit Account No. 06-1050, referencing Attorney Docket No. 08191-014002.

Respectfully submitted,

Date: October 15, 2001

Jack Brennan  
Jack Brennan  
Reg. No. 47,443

Fish & Richardson P.C.  
225 Franklin Street  
Boston, Massachusetts 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906  
20309579.doc

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

October 15, 2001  
Date of Deposit

Darlene J. Morin  
Signature

Darlene J. Morin  
Typed or Printed Name of Person Signing Certificate



## UNITED STATES PATENT AND TRADEMARK OFFICE

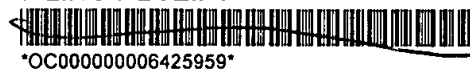
COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

JKF  
JQB  
CTB

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/909,460	07/18/2001	1633	634	08191-014002	13	51	3

CONFIRMATION NO. 1198

## FILING RECEIPT



\*OC000000006425959\*

JANIS K. FRASER, PH.D., J.D.  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804

Date Mailed: 08/15/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).**

## Applicant(s)

David Putnam, Cambridge, MA; *Reverse order*  
Lynn B. Lunsford, Reading, PA;  
Mary Lynne Hedley, Lexington, MA;

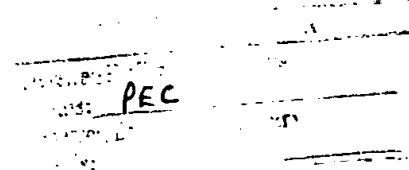
## Assignment For Published Patent Application

Zycos Inc., a Delaware corporation;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/321,346 05/27/1999 -  
WHICH IS A CIP OF 09/266,463 03/11/1999 ABN ✓  
AND A CIP OF 09/003,253 01/06/1998 ABN ✓  
WHICH CLAIMS BENEFIT OF 60/035,983 01/22/1997 -  
AND A CIP OF PCT/US98/01499 01/22/1998 -

## Foreign Applications



If Required, Foreign Filing License Granted 08/14/2001

Projected Publication Date: To Be Determined - pending completion of Corrected Papers

Non-Publication Request: No

Early Publication Request: No

**\*\* SMALL ENTITY \*\***

**Title**

Microparticles for delivery of nucleic acid

**Preliminary Class**

424

---

**Data entry by :** INSIXIENGMAI, LYANA

**Team :** OIPE

**Date:** 08/15/2001





**LICENSE FOR FOREIGN FILING UNDER**  
**Title 35, United States Code, Section 184**  
**Title 37, Code of Federal Regulations, 5.11 & 5.15**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

**NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
 Office of Initial Patent Examination  
 Customer Service Center  
 Washington, DC 20231



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

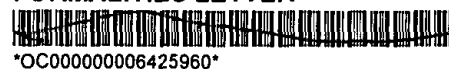
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/909,460	07/18/2001	David Putnam	08191-014002

JANIS K. FRASER, PH.D. J.D.  
Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804



CONFIRMATION NO. 1198

## FORMALITIES LETTER



\*OC000000006425960\*

Date Mailed: 08/15/2001

## NOTICE TO FILE CORRECTED APPLICATION PAPERS

*Filing Date Granted*

This application has been accorded an Application Number and Filing Date. The application, however, is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given **TWO MONTHS** from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
  - drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1));
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

09909460-101801

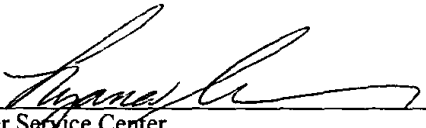


For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

---

*A copy of this notice MUST be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

09460600